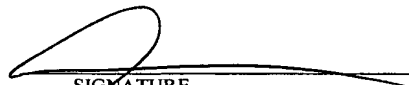


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|---|--|---|--|--|--|
| FORM PTO-1390) (REV. 10-2003) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 1343.45017X00 May 18, 2005 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) | |
| | | | | 10/535397 | |
| INTERNATIONAL APPLICATION NO. PCT/JP02/12026 | | INTERNATIONAL FILING DATE 18 November 2002 | | PRIORITY DATE CLAIMED | |
| TITLE OF INVENTION Seedling for Pot Raising Fruit Crop Seedlings | | | | | |
| APPLICANT(S) FOR DO/EO/US Toshiyuki AIBA | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office(RO/US)</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Figs. 1-8; Request for Examination and Search Form; Credit Card Payment Form; PCT Attachment</p> | | | | | |

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|---|--------------|---|------------|---|----------|--|----------|---|----------|--|--|--------------------------------------|--|---------------------------|--|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.53) 10/535397 | | INTERNATIONAL APPLICATION NO. PCT/JP02/12026 | | ATTORNEY'S DOCKET NUMBER 1343.45017X00 | | | | | | | | | | | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 60%;"><input checked="" type="checkbox"/> a) Basic national fee</td> <td style="text-align: right;">\$300.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination fee</td> <td style="text-align: right;">\$200.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search fee</td> <td style="text-align: right;">\$500.00</td> </tr> <tr> <td colspan="2" style="text-align: right; padding-top: 10px;">TOTAL OF ABOVE CALCULATIONS = \$1,000.00</td> </tr> <tr> <td colspan="2" style="text-align: right; padding-top: 5px;">ENTER APPROPRIATE BASIC FEE AMOUNT =</td> </tr> </table> | | | | <input checked="" type="checkbox"/> a) Basic national fee | \$300.00 | <input checked="" type="checkbox"/> b) Examination fee | \$200.00 | <input checked="" type="checkbox"/> c) Search fee | \$500.00 | TOTAL OF ABOVE CALCULATIONS = \$1,000.00 | | ENTER APPROPRIATE BASIC FEE AMOUNT = | | CALCULATIONS PTO USE ONLY | |
| <input checked="" type="checkbox"/> a) Basic national fee | \$300.00 | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> b) Examination fee | \$200.00 | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> c) Search fee | \$500.00 | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = \$1,000.00 | | | | | | | | | | | | | | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | | | | | | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | | | | | | | | | | | |
| Total Claims | 5 - 20 = | | x \$18.00 | \$ | | | | | | | | | | | |
| Independent Claims | 2 - 3 = | | x \$88.00 | \$ | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | | + \$300.00 | \$ | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1,000.00 | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | | | | | | | | | | | |
| SUBTOTAL = | | | | \$ 1,000.00 | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | | \$ 1,000.00 | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$ 1,000.00 | | | | | | | | | | | |
| | | | | Amount to be refunded: \$ | | | | | | | | | | | |
| | | | | charged: \$ | | | | | | | | | | | |
| <p>a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2135 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2135. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 North 17th Street - Suite 1800 Arlington, VA 22209</p> <p>Customer No. 020457</p> | | | | | | | | | | | | | | | |
| | | | | SIGNATURE  ALAN E. SCHIAVELLI NAME 32,087 REGISTRATION NO. | | | | | | | | | | | |

10/535397

JC06 Rec'd PCT/PTO 18 MAY 2005

ATTACHMENT

| International Application No. | International Filing Date | Attorney Docket No. |
|--------------------------------------|----------------------------------|----------------------------|
| PCT/JP02/12026 | 18 November 2002 | 1343.45017X00 |

- 1. International Publication No. WO 2004/045271 A1.**
- 2. International Search Report.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Toshiyuki AIBA
Application No.: (not yet assigned)
Filed: May 18, 2005
For: SEEDLING POT FOR RAISING FRUIT CROP SEEDLINGS

REQUEST FOR EXAMINATION AND SEARCH

May 18, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that a search and examination be conducted in the above-identified application. The necessary search fee and examination fee are enclosed herewith.

Please charge any shortage in the fees due in connection with the filing of this paper, including excess claim fees, to Deposit Account No. 01-2135 (referencing case No. 1343.45017X00), and please credit any excess fees to such deposit account.

Respectfully submitted,



Alan E. Schiavelli
Registration No. 32,087
ANTONELLI, TERRY, STOUT & KRAUS, LLP

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Arlington, Va 22209
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